

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

LEADERSHIP STUDIES, INC.,

Plaintiff,

v.

BLANCHARD TRAINING AND
DEVELOPMENT, INC.,

Defendant.

AND RELATED COUNTERCLAIMS.

Case No.: 15cv1831-WQH(KSC)

**THIRD AMENDED SCHEDULING
ORDER REGULATING
DISCOVERY AND OTHER PRE-
TRIAL PROCEEDINGS;**

**ORDER GRANTING JOINT
MOTIONS TO MODIFY THE
SCHEDULING ORDER [Doc. Nos. 75
and 99]**

The parties submitted a Joint Motion to Modify the Second Amended Scheduling Order [Doc. No. 75] and a Supplement to the Joint Motion to Modify the Second Amended Scheduling Order [Doc. No. 99]. In these moving papers, the parties seek additional time to complete depositions and to attend private mediation. Good cause appearing, the Court finds that the parties' Joint Motion must be GRANTED. Accordingly,

IT IS HEREBY ORDERED THAT:

1. The time for completing fact discovery is extended to August 31, 2017 solely for the purpose of completing depositions.

1 2. The parties shall designate their respective experts in writing by
2 September 25, 2017. The parties must identify any person who may be used at trial to
3 present evidence pursuant to Rules 702, 703 or 705 of the Fed. R. Evid. This requirement
4 is not limited to retained experts. The date for exchange of rebuttal experts shall be on or
5 before October 9, 2017. The written designations shall include the name, address and
6 telephone number of the expert and a reasonable summary of the testimony the expert is
7 expected to provide. The list shall also include the normal rates the expert charges for
8 deposition and trial testimony.

9 4. On or before November 9, 2017, each party shall comply with the disclosure
10 provisions in Rule 26(a)(2)(B) and Rule 26(a)(2)(C) of the Federal Rules of Civil
11 Procedure.

12 4. Any party shall supplement its disclosure regarding contradictory or rebuttal
13 evidence under Rule 26(a)(2)(D) on or before December 1, 2017.

14 5. All expert discovery shall be completed by all parties on or before
15 January 19, 2018. The parties shall comply with the same procedures set forth in the
16 paragraph governing fact discovery.

17 6. Please be advised that failure to comply with discovery deadlines or any
18 other discovery order of the Court may result in the sanctions provided for in Federal
19 Rule of Civil Procedure 37, including a prohibition on the introduction of experts or other
20 designated matters in evidence.

21 7. A Mandatory Settlement Conference shall be conducted on January 31,
22 2018 at 9:30 a.m. in the chambers of Magistrate Judge Karen S. Crawford, United States
23 Courthouse, 333 West Broadway, Suite 1010, San Diego, California 92101. Counsel or
24 any party representing himself or herself shall submit confidential settlement briefs
25 directly to chambers no later than January 24, 2018. All parties are ordered to read and
26 to fully comply with the settlement conference procedures set forth in Judge Crawford's
27 Chambers Rules which are accessible via the Court's website at www.casd.uscourts.gov.

1 8. All other pretrial motions must be filed on or before **February 26, 2018**.
2 Counsel for the moving party must obtain a motion hearing date from the law clerk of the
3 District Judge who will hear the motion. The period of time between the date you request
4 a hearing for your motion and the hearing date set by the law clerk may vary from one
5 District Judge to another. Please plan accordingly. Failure to make a timely request for a
6 motion date may result in the motion not being heard.

7 9. Counsel shall comply with the pre-trial disclosure requirements of Federal
8 Rule of Civil Procedure 26(a)(3) on or before **May 28, 2018**. Failure to comply with
9 these disclosure requirements could result in evidence preclusion or other sanctions under
10 Federal Rule of Civil Procedure 37.

11 10. Counsel shall meet and take the action required by Local Rule 16.1(f)(4) on
12 or before **June 4, 2018**. At this meeting, counsel shall discuss and attempt to enter into
13 stipulations and agreements resulting in simplification of the triable issues. Counsel shall
14 exchange copies and/or display all exhibits other than those to be used for impeachment.
15 The exhibits shall be prepared in accordance with Local Rule 16.1(f)(4)(c). Counsel shall
16 note any objections they have to any other parties' Pretrial Disclosures under Federal
17 Rules of Civil Procedure 26(a)(3). Counsel shall cooperate in the preparation of the
18 proposed pretrial conference order.

19 11. Counsel for plaintiff will be responsible for preparing the pretrial order and
20 arranging the meetings of counsel pursuant to Civil Local Rule 16.1(f). On or before
21 **June 11, 2018**, plaintiff's counsel must provide opposing counsel with the proposed
22 pretrial order for review and approval. Opposing counsel must communicate promptly
23 with plaintiff's attorney concerning any objections to form or content of the pretrial order,
24 and both parties shall attempt promptly to resolve their differences, if any, concerning the
25 order.

26 12. The Proposed Final Pretrial Conference Order, including objections to any
27 other parties' Federal Rule 26(a)(3) Pretrial Disclosures shall be prepared, served and
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1 lodged with the assigned District Judge on or before June 18, 2018, and shall be in the
2 form prescribed in and comply with Local Rule 16.1(f)(6).

3 13. The final Pretrial Conference is scheduled on the calendar of Judge Hayes
4 on June 25, 2018 at 11:00 a.m.

5 14. A post trial settlement conference before a Magistrate Judge may be held
6 within 30 days of verdict in the case.

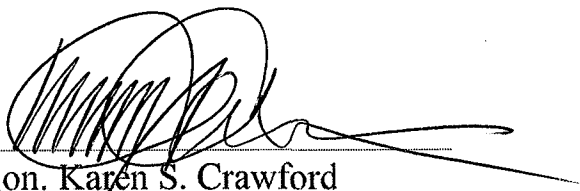
7 15. The dates and times set forth herein will not be modified except for good
8 cause shown.

9 16. Briefs or memoranda in support of or in opposition to any pending motion
10 shall not exceed twenty-five (25) pages in length without leave of a District Court Judge.
11 No reply memorandum shall exceed ten (10) pages without leave of a District Court
12 Judge. Briefs and memoranda exceeding ten (10) pages in length shall have a table of
13 contents and a table of authorities cited.

14 17. All other terms and conditions of the Scheduling Order filed on August 11,
15 2016 [Doc. No. 43], the Amended Scheduling Order filed on November 23, 2016 [Doc.
16 No. 53], and the Second Amended Scheduling Order filed on February 17, 2017 [Doc.
17 No. 59] shall remain in full force and effect.

18 IT IS SO ORDERED.

19 Dated: June 13, 2017

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22 Hon. Karen S. Crawford
23 United States Magistrate Judge
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